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2 Nathaniel P. Bualat (CSB No. 226917, nbualat@flk.com)
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3 275 Battery Street, 23rd Floor
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4 Telephone: (415) 986-2800
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5 Attorneys for Plaintiff
6 CAPITAL TRUST, INC.

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10

11 CAPITAL TRUST, INC.,
12 Plaintiff,

13 v.

14 WALTER R. LEMBI, individually and as
trustee of the WALTER AND LINDA
15 LEMBI FAMILY TRUST DATED JUNE
30, 2004; FRANK E. LEMBI, individually
16 and as trustee of the OLGA LEMBI
RESIDUAL TRUST CREATED UNDER
17 THE PROVISIONS OF PART THREE OF
THE LEMBI FAMILY REVOCABLE
18 TRUST DATED FEBRUARY 17, 1984,
and as the trustee of the FRANK E.
19 LEMBI SURVIVOR'S TRUST DATED
FEBRUARY 17, 1984; BILLIE
20 SALEVOURIS, individually, BILLIE Z.
SALEVOURIS, as trustee for THE BILLIE
21 SALEVOURIS TRUST DATED
AUGUST 23, 1983 AS RESTATED ON
22 MAY 24, 2002; DAVID M. RAYNAL,
individually and as trustee for the DAVID
23 M. RAYNAL REVOCABLE TRUST
DATED MAY 9, 2002; RALPH DAYAN,
24 individually and as co-trustee for the
AMENDED AND RESTATED DAYAN
25 FAMILY REVOCABLE TRUST DATED
DECEMBER 31, 1991,

26 Defendants.
27
28

Case No. C 09-02492 JSW

Action Filed: June 4, 2009

**NOTICE OF SUBSTITUTION OF
COUNSEL, APPEARANCE OF FOLGER
LEVIN & KAHN LLP, AND
WITHDRAWAL OF DECHERT LLP**

Dept.: Courtroom 11, 19th Floor
Judge: Hon. Jeffrey S. White

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that Plaintiff Capital Trust, Inc. substitutes Ethan P. Schulman
3 and Nathaniel P. Bualat of the law firm FOLGER LEVIN & KAHN LLP as counsel and attorneys
4 of record in this matter in place of H. Joseph Escher III and Lily A. North of the law firm
5 DECHERT LLP.
6

7 Former Attorney

8 Plaintiff's former counsel and attorneys of record:

9 H. Joseph Escher III (SB# 85551)
10 Lily A. North (SB# 260709)
11 DECHERT LLP
12 One Maritime Plaza, Suite 2300
13 San Francisco, CA 94111-3513
14 Telephone: (415) 262-4500
15 Facsimile: (415) 262-4555

16 Mr. Escher, Ms. North and DECHERT LLP hereby withdraw as counsel and attorneys of record
17 for Plaintiff for this matter.

18 New Attorney

19 Plaintiff's new counsel in this matter and Plaintiff's new attorneys of record on whom all
20 notices and papers may be served are:

21 FOLGER LEVIN & KAHN LLP
22 Ethan P. Schulman (CSB No. 112466, eschulman@flk.com)
23 Nathaniel P. Bualat (CSB No. 226917, nbualat@flk.com)
24 Embarcadero Center West
25 275 Battery Street, 23rd Floor
26 San Francisco, CA 94111
27 Telephone: (415) 986-2800
28 Facsimile: (415) 986-2827

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Substitution Based on Consent

The undersigned consent to the substitution and withdrawal and certify that the substitution and withdrawal will not delay the proceedings in this matter:


Dated: August 19, 2009

FOLGER LEVIN & KAHN LLP


Ethan P. Schulman

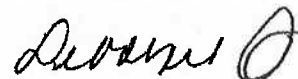
Dated: August 19th, 2009

DECHERT LLP


H. Joseph Escher III


Dated: August 19th, 2009

CAPITAL TRUST, INC.


Deborah J. Ginsberg

IT IS SO ORDERED

Dated: August 19, 2009


HON. JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

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